

# EXHIBIT 1

**DECLARATION OF TAYLOR SIMPSON, ESQ. IN SUPPORT OF EMERGENCY  
MOTION TO REMAND**

1. I, Taylor Simpson, Esq. have personal knowledge of the truth of the facts contained in this Declaration and of the accuracy and authenticity of the documents attached hereto and referenced herein, except for those stated upon information and belief. I make this declaration under penalty of perjury under the laws of the State of Nevada. If called to testify about the facts and documents referenced herein, I could do so. I am counsel for Defendant Tako, LLC in the present matter.
2. I believe that there are grounds for the court to hear this matter on an emergency basis. The nature of the emergency is that Plaintiff Parnell Colvin (hereinafter “Mr. Colvin”) remains in possession of the real property located at 6681 Tara Avenue, Las Vegas, Nevada 89146 without paying rent. Mr. Colvin has duplicitously attempted to remain in the Property without paying rent by abusing the federal removal process and the bankruptcy processes. Further, on or about November 5, 2022, the Property suffered a flood due to the sewer/septic tank. *See* Cleanup Report attached hereto as **Sub-Exhibit A**. It is my understanding that the property was likely damaged by the tenant and is flooded with sewage water. Despite this fact, Mr. Colvin remains in possession of the Property. Furthermore, Mr. Colvin refuses to cooperate and vacate the Property or allow the cleaning crews further access to the Property.
3. On or about November 30, 2022, my Client and I received a notification from the Southern Nevada Health Division (hereinafter “SNHD”) that because of Mr. Colvin’s failure to cooperate with the flood issue, that SNHD will be revoking Tako’s Individual Dewage Disposal System permit. *See* SNHD Message attached hereto as **Sub-Exhibit B**. Further, it is likely that the health department will condemn the Property if immediate action is not taken.
4. Pursuant to LR 7-4(a)(2), the office addresses and telephone numbers of movant and all affected parties are as follows:

Tako, LLC  
c/o KERR SIMPSON ATTORNEYS AT LAW  
2900 W. Horizon Ridge Pkwy., Ste 200  
Henderson, NV 89052  
702-451-2055  
*Landlord/Defendant*

Parnell Colvin  
6681 Tara Ave.  
Las Vegas, NV 89146  
503-490-6564  
*Plaintiff/Tenant*

5. Pursuant to LR 7-4(a)(3), my client and I have attempted on several occasions in the recent weeks to contact Mr. Colvin and to seek an amicable resolution to this matter, however,

Tako has been unable to resolve the matter without court intervention. Furthermore, Mr. Colvin will be provided a copy of this Emergency Motion by U.S. Mail and by email to the email address stated in Mr. Colvin's pleadings.

FURTHER DECLARANT SAYETH NOT.

DATED this 12th day of December, 2022.

  
\_\_\_\_\_  
TAYLOR SIMPSON, ESQ.

# SUB-EXHIBIT A





## PuroClean of Summerlin West

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Steven Lai  
PuroClean Summerlin West  
(702) 608-8668  
[www.puroclean.com/psw-nv](http://www.puroclean.com/psw-nv)  
[PuroCleanNV@gmail.com](mailto:PuroCleanNV@gmail.com)  
[slai@puroclean](mailto:slai@puroclean)  
TAX ID: 87-1614944

Client: Amy  
Property: 6681 Tara Ave  
Las Vegas , NV

Operator: SLAI

Estimator: Steve  
Company: PuroClean of Summerlin West  
Business: 11700 W Charleston Blvd 170-653  
Las Vegas, NV 89135

Business: (702) 608-8668  
E-mail: [Slai@puroclean.com](mailto:Slai@puroclean.com)

Type of Estimate: Water Damage  
Date Entered: 11/4/2022 Date Assigned:

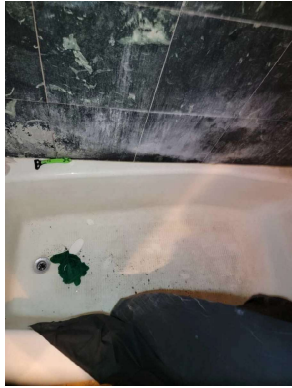
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Labor Efficiency: Restoration/Service/Remodel  
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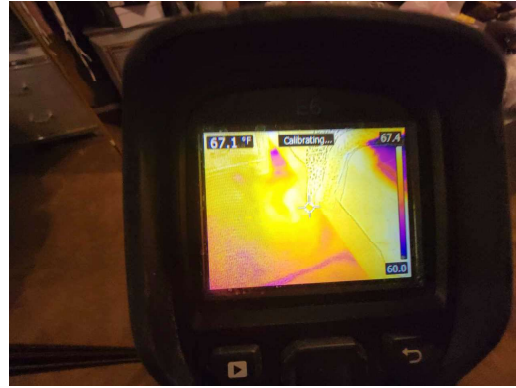
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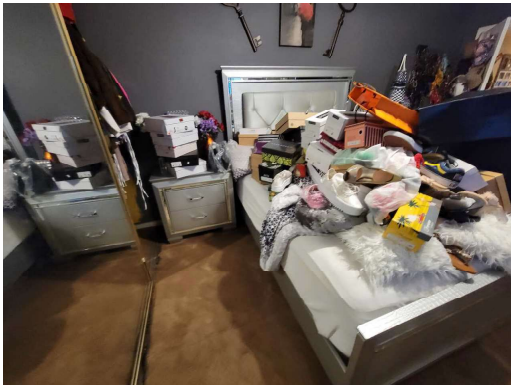
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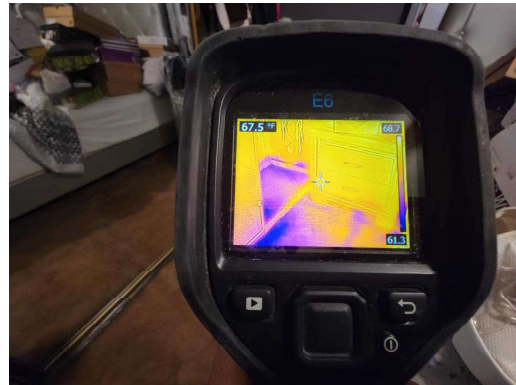
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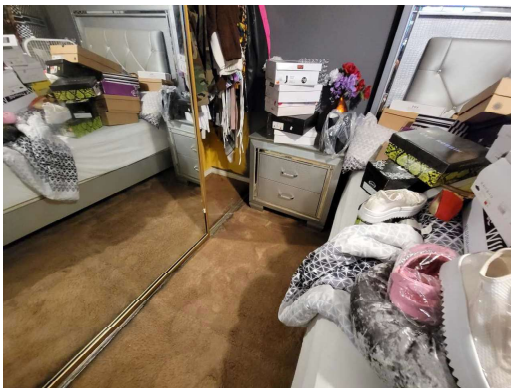
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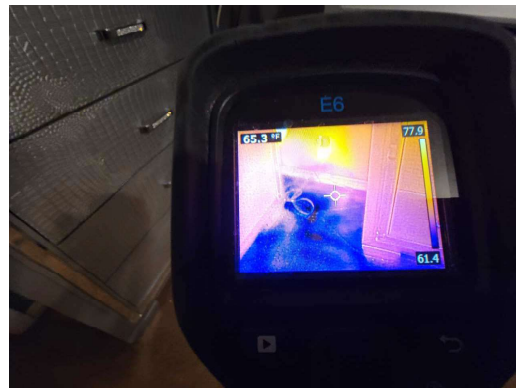
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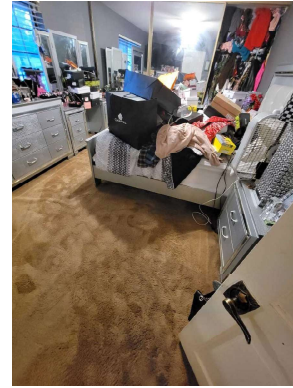
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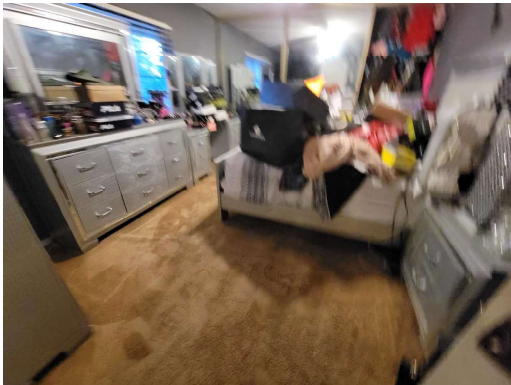
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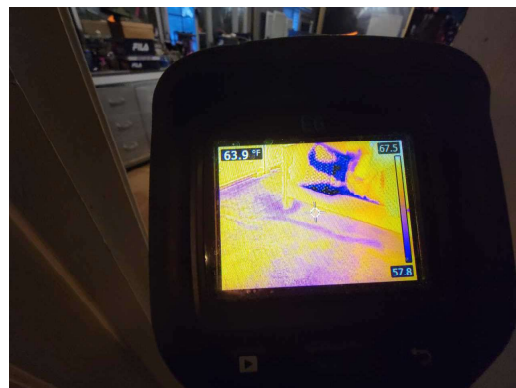
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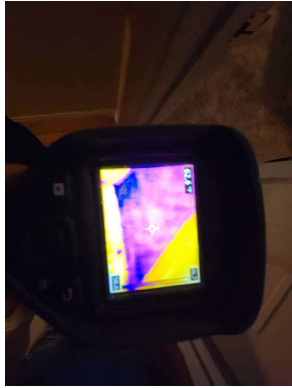




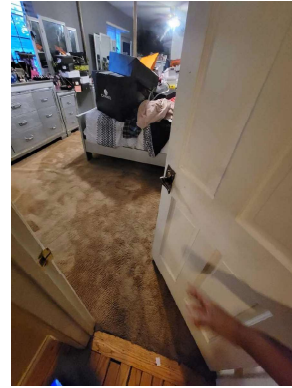
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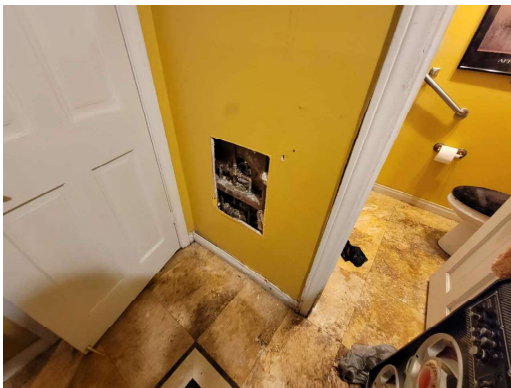
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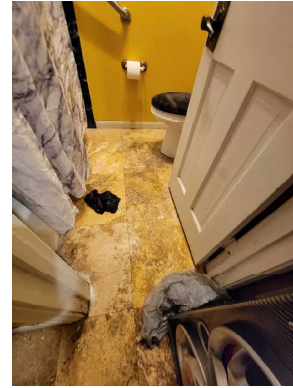
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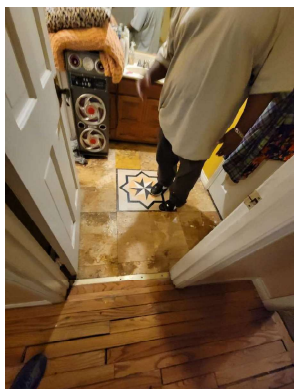




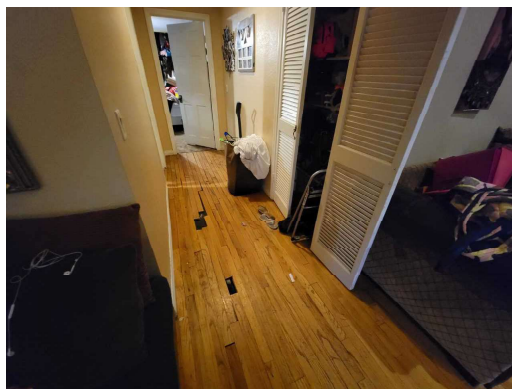
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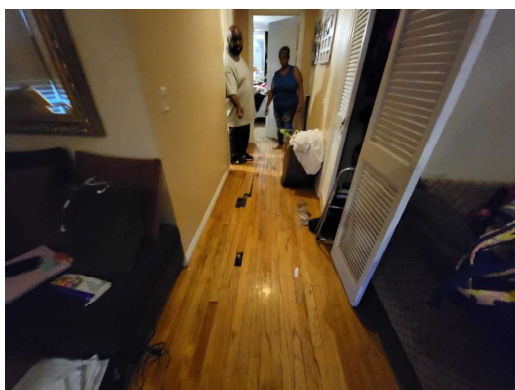
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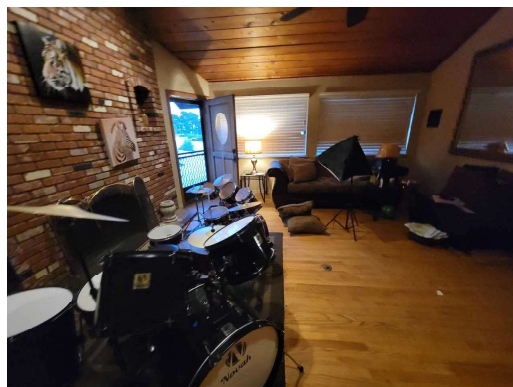
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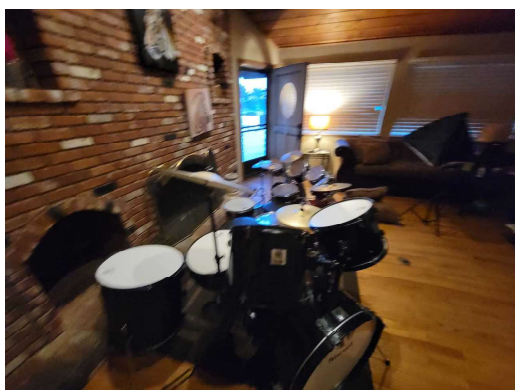
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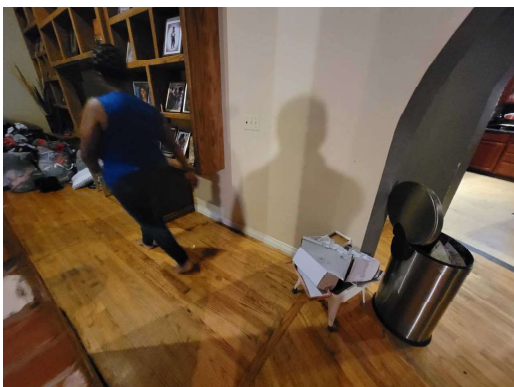
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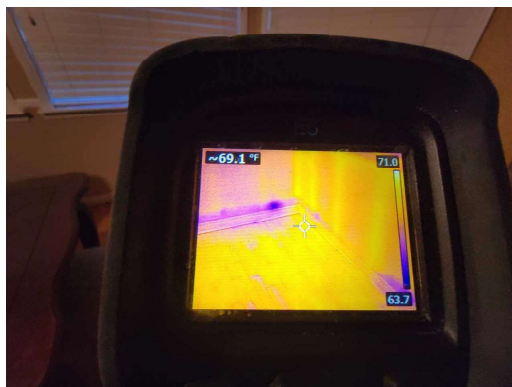
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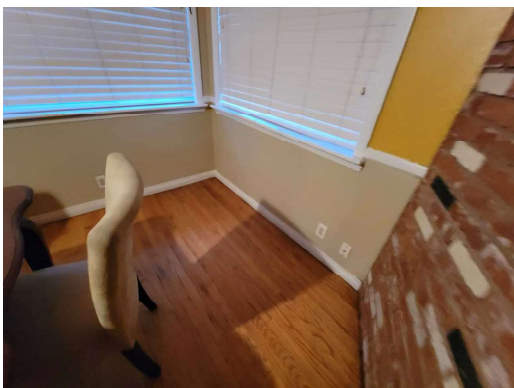
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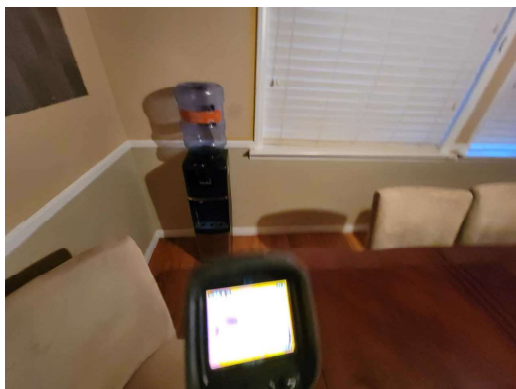




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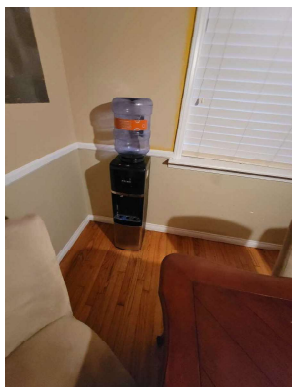
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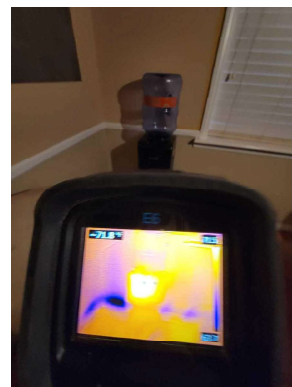
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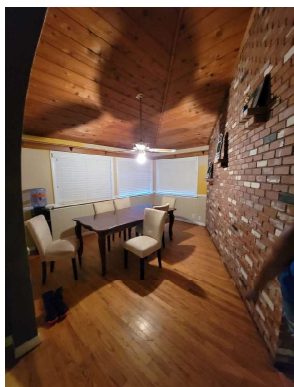




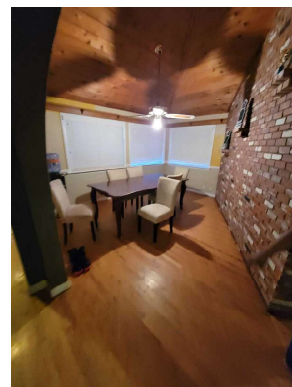
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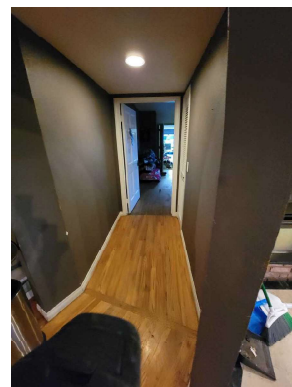
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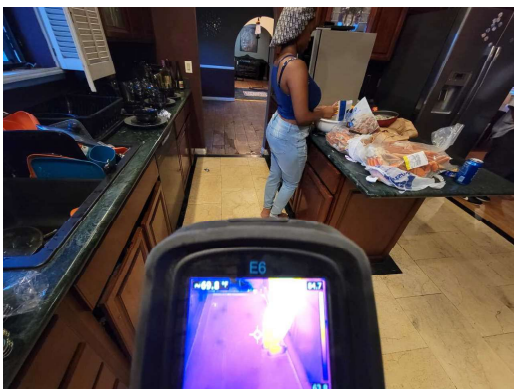




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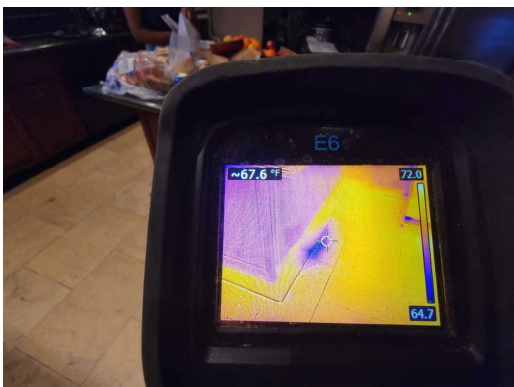
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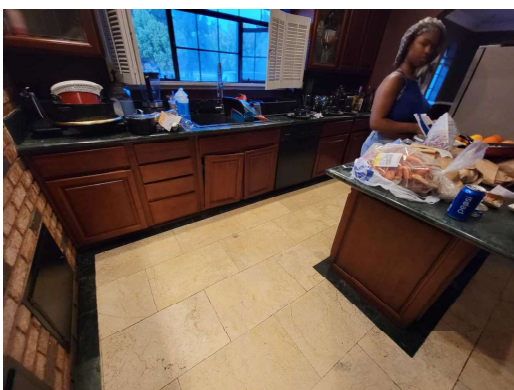
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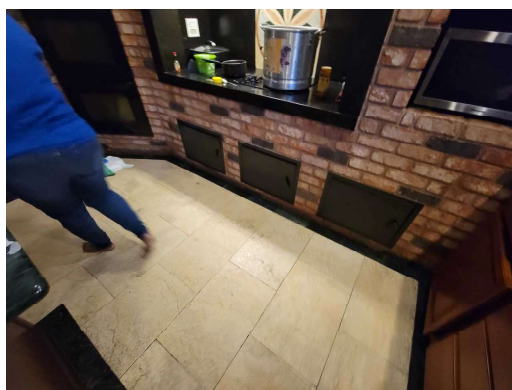
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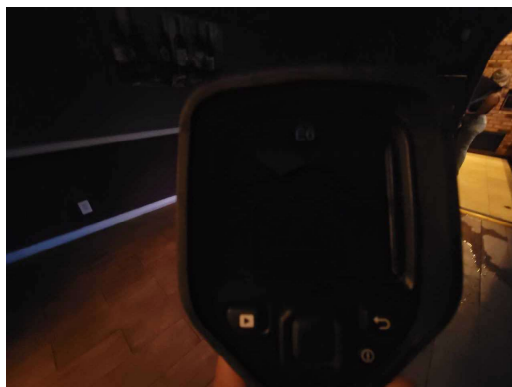
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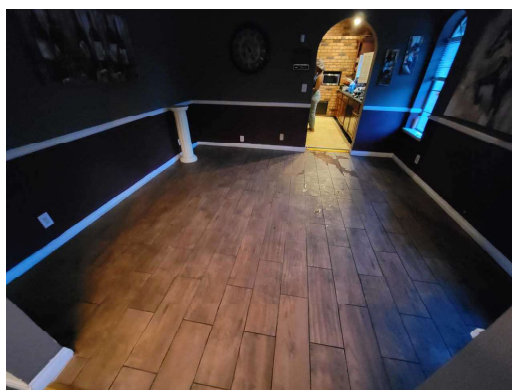
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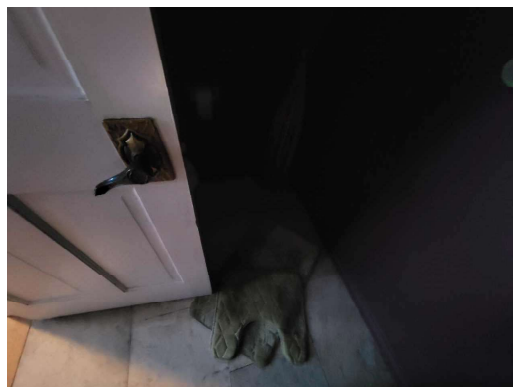
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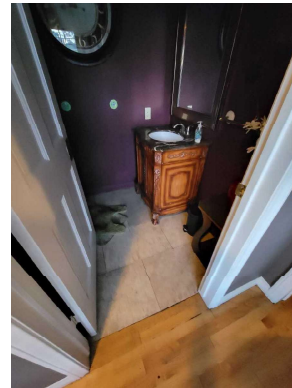
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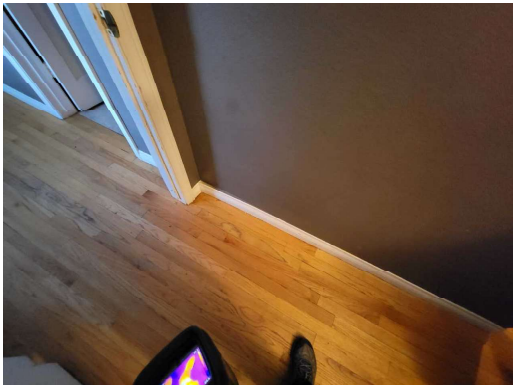
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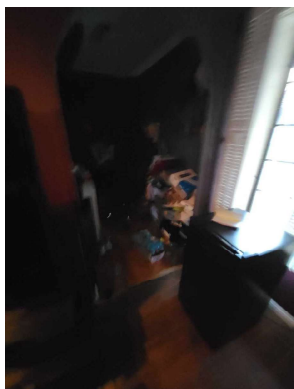




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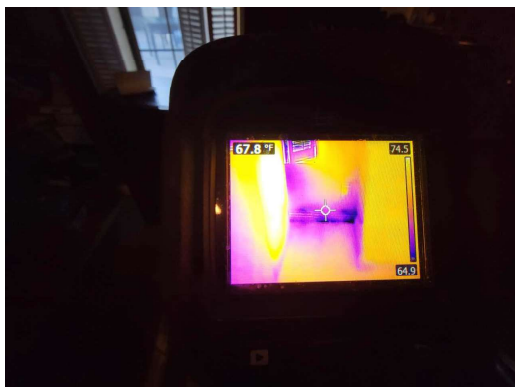
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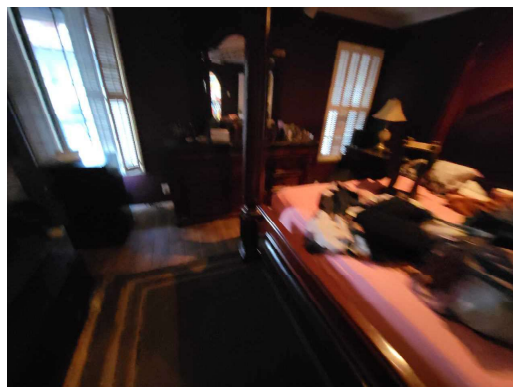
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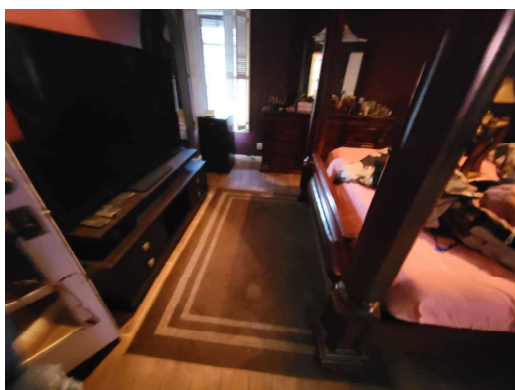
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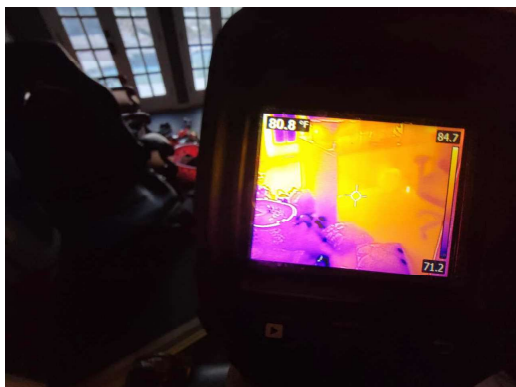




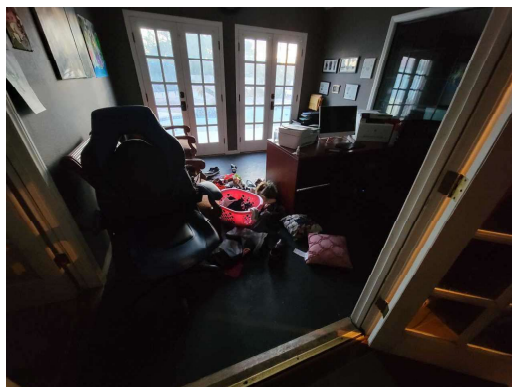
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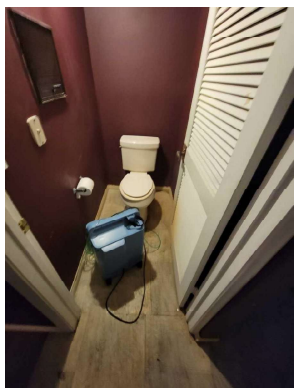
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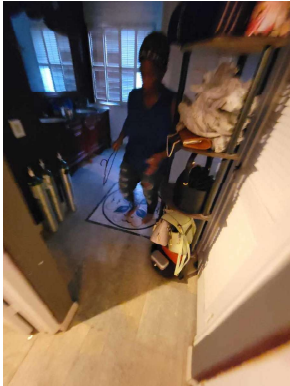
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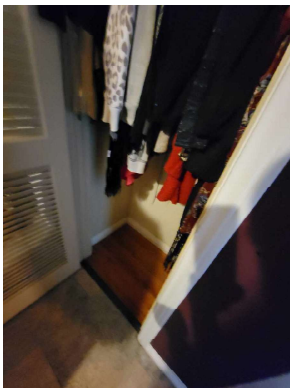
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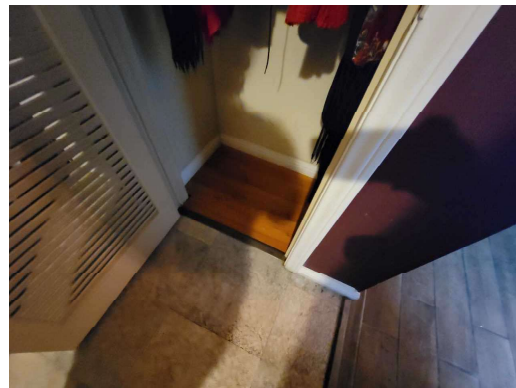
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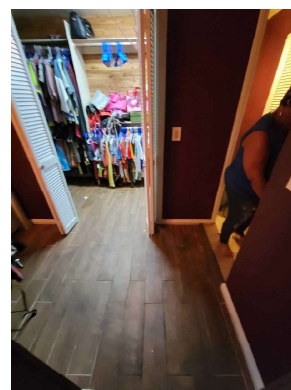
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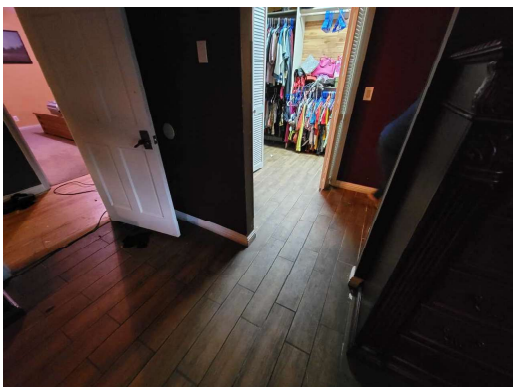




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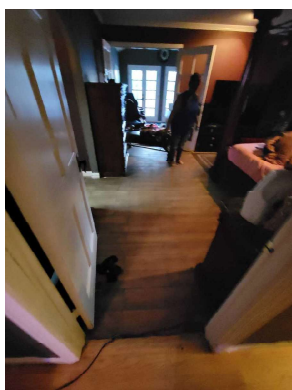
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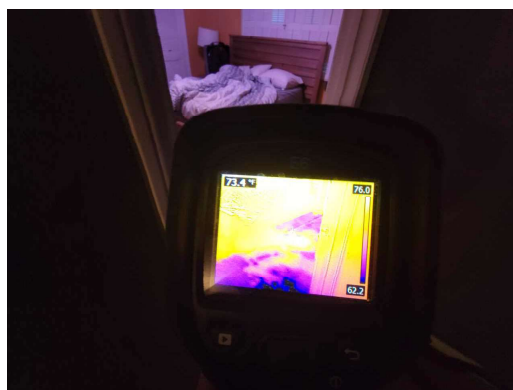
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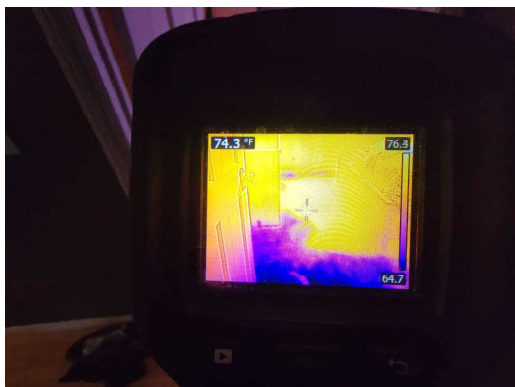




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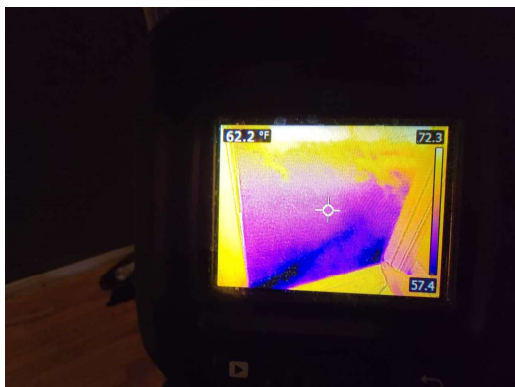
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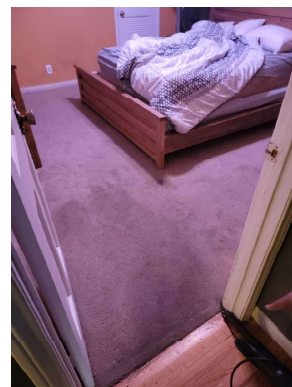
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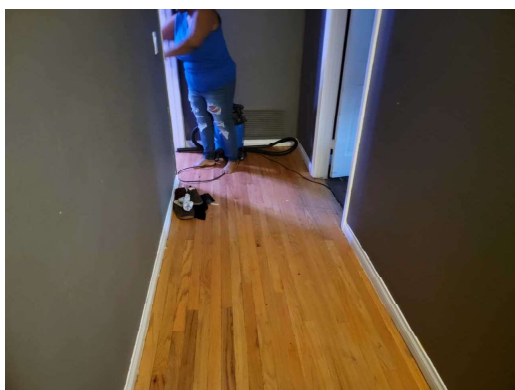
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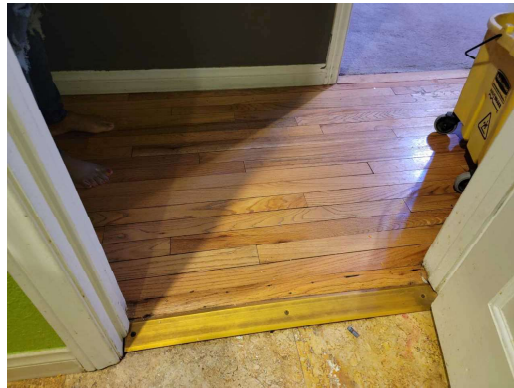
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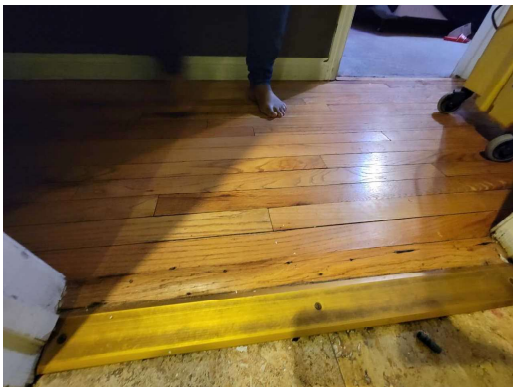
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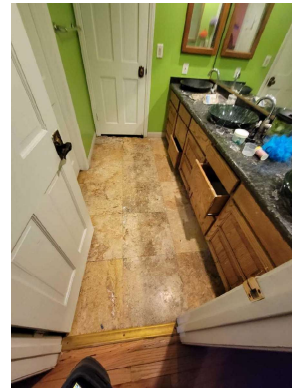
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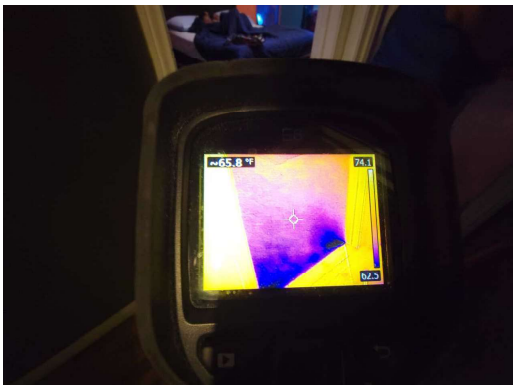
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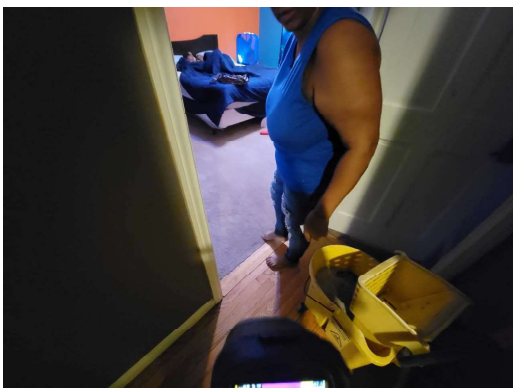
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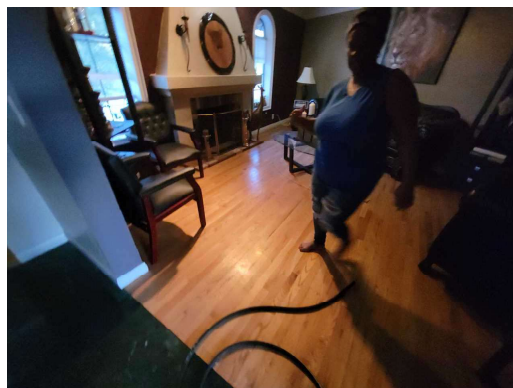
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## PuroClean of Summerlin West

Steven Lai  
PuroClean Summelin West  
(702) 608-8668  
www.puroclean.com/psw-nv  
PuroCleanNV@gmail.com  
slai@puroclean  
TAX ID: 87-1614944

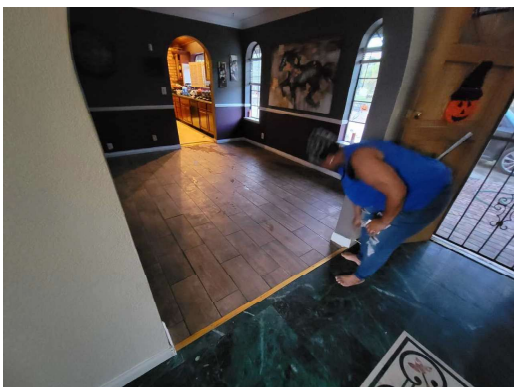
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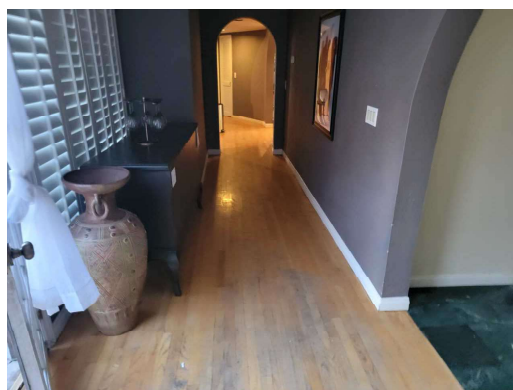
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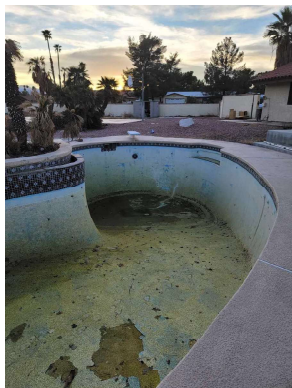
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[www.puroclean.com/psw-nv](http://www.puroclean.com/psw-nv)  
[PuroCleanNV@gmail.com](mailto:PuroCleanNV@gmail.com)  
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147




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Image Detail			
Image No.	Type	Date Taken	Taken By
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4	4-20221104_174307	11/4/2022	
5	5-20221104_174305	11/4/2022	
6	6-20221104_174259	11/4/2022	
7	7-20221104_174255	11/4/2022	
8	8-20221104_174251	11/4/2022	
9	9-20221104_174248	11/4/2022	
10	10-20221104_174246	11/4/2022	
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12	12-20221104_174242	11/4/2022	
13	13-20221104_174240	11/4/2022	
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16	16-20221104_174228	11/4/2022	


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**Continued - Image Detail**

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31	31-20221104_174142	11/4/2022	
32	32-20221104_174139	11/4/2022	
33	33-20221104_174136	11/4/2022	


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**Continued - Image Detail**

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39	39-20221104_174118	11/4/2022	
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43	43-20221104_174104	11/4/2022	
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50	50-20221104_174044	11/4/2022	


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**Continued - Image Detail**

<b>Image No.</b>	<b>Type</b>	<b>Date Taken</b>	<b>Taken By</b>
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67	67-20221104_173932	11/4/2022	




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**Continued - Image Detail**

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82	82-20221104_173810	11/4/2022	
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84	84-20221104_173804	11/4/2022	


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**Continued - Image Detail**

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101	101-20221104_173656	11/4/2022	





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118	118-20221104_173550	11/4/2022	


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 TAX ID: 87-1614944

**Continued - Image Detail**

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 TAX ID: 87-1614944

**Continued - Image Detail**

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146	146-20221104_172858	11/4/2022	
147	147-20221104_172853	11/4/2022	

# SUB EXHIBIT B



6封邮件



**RE: Case#: SW22-4888/B5  
-6681 Tara Ave**

Good Afternoon,

SNHD is notifying you that due to the subject property's history of repeat sewage overflow events, coupled with failure to comply with the December 7, 2021 Order (compliance due date last extension granted until August 20, 2022) along with the non-responsiveness to our repeated requests to provide a copy of the contract, SNHD will be revoking the ISDS operating permit. A formal letter will also be mailed.

If there are any questions or concerns, the ISDS/Septic help desk can be reached at [septics@snhd.org](mailto:septics@snhd.org) or [702-759-0660](tel:702-759-0660).

Thank you,  
Brittany



# EXHIBIT 2

JUSTICE COURT, TOWNSHIP OF LAS VEGAS  
CLARK COUNTY, NEVADA

Plaintiff's  
Name: TAKO, LLC c/o Kerr Simpson Attorneys at Law  
Address: 2900 W. Horizon Ridge Parkway, Suite 200  
City, State, Zip: Henderson, NV 89052  
Phone: 702-451-2055  
E-Mail: taylor@kerrsimpsonlaw.com

Case No.: 21E014316  
Dept No.: \_\_\_\_\_

Plaintiff,  
vs.

Defendant's  
Name: Parnell Colvin  
Address: 6681 Tara Ave  
City, State, Zip: Las Vegas, NV 89146  
Phone: 503-490-6564  
E-Mail: PC681@yahoo.com

MOTION TO PLACE ON CALENDAR  
(SUMMARY EVICTION)

Defendant.

(Insert your name) TAKO, LLC, the (check one box)

☒ Landlord or ☐ Tenant in this summary eviction case, requests that the Court place this matter on its calendar for a hearing. I believe a hearing is warranted and necessary for the following reasons (describe why you think a hearing is required and what action you want the Court to take):

The Court should place the matter on calendar and should issue an order to evict Defendant because the Justice Court now has jurisdiction. On November 7, 2022, the Federal Court issued an Order dismissing the Federal Case (Case No. 2:22-cv-00082-CDS-DJA) for lack of Subject-Matter Jurisdiction. See Order attached hereto as Exhibit 1. Thus, the Justice Court now again has jurisdiction to hear the instant case and issue an Order evicting Tenant from the premises for Tenant's unlawful detainer.

(Check if attaching additional pages ☐)

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

11/8/2022  
(Date)

Taylor Simpson, Esq.  
(Type or print name)

(Signature)

**CERTIFICATE OF SERVICE**

I CERTIFY that on *(insert date document served)* November 8, 2022, I served this **MOTION TO PLACE ON CALENDAR (SUMMARY EVICTION)**, pursuant to JCRCP 5(b), by the following method *(check one box)*:

- ☒ Depositing a copy in the United States Mail in Las Vegas, Nevada, postage prepaid, to the address listed below *(on lines below insert name and mailing address of opposing party's attorney, or opposing party directly if no attorney is involved)*.
- ☐ Delivering, by hand delivery, a copy to the address listed below and leaving it (i) with the opposing party or opposing party's attorney; (ii) at the office of the opposing party with a person in charge or in a conspicuous place; or (iii) at the dwelling house of the opposing party with a person of suitable age and discretion residing therein *(on lines below insert name and mailing address of the opposing party, opposing party's agent or attorney, or person of suitable age and discretion, as applicable)*.

Parnell Colvin

6681 Tara Ave

Las Vegas, NV 89146

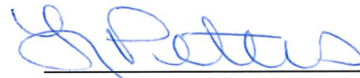
I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

11/8/2022

*(Date)*

Lisa Peters

*(Type or Print Name)*



*(Signature)*



1  
2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA  
4

5 Parnell Colvin,

6 Plaintiff

7 v.

8 Tako, LLC,

9 Defendant  
10

Case No. 2:22-cv-00082-CDS-DJA

**Order Dismissing Case for Lack of Subject-  
Matter Jurisdiction and Denying Motions**

[ECF Nos. 32; 35; 37]

11 Pro se plaintiff Parnell Colvin attempted to “remove” an eviction action brought against  
12 him by Tako, LLC in the Las Vegas Justice Court to this court by filing this action. Compl., ECF  
13 No. 1. He alleged that there “[was] a clear violation of his constitutional right to due process”  
14 because he was unable to participate in a court proceeding due to contracting COVID-19. *Id.*  
15 When the state court proceeding was rescheduled, Colvin sought injunctive relief from this  
16 court through an emergency motion for a preliminary injunction (ECF No. 11) and temporary  
17 restraining order (ECF No. 12). Because the allegations in the motions were insufficient to  
18 establish that subject-matter jurisdiction was present in this case, I ordered Colvin to file a  
19 written response, within thirty days, explaining why the action should not be dismissed for lack  
20 of subject-matter jurisdiction. Order, ECF No. 15. Following that order to show cause, Colvin  
21 filed four motions seeking more time to file a response. *See* ECF Nos. 21, 26, 30, 33. I granted  
22 Colvin an additional nine days in which to file a written response to the show-cause order. ECF  
23 No. 31. Colvin was reminded that failure to respond by the October 27, 2022, deadline would  
24 result in the dismissal and closing of his case without further notice. ECF No. 33.  
25  
26

1 Although Colvin timely filed a response, he has not demonstrated that this court has  
2 subject-matter jurisdiction over this case. In his response, Colvin reasserts that “his federal  
3 rights to due process w[ere] violated by the defendant which gave cause to moving the case to  
4 federal court to deal with federal law[,] not state law.” Resp., ECF No. 36 at 2. While Colvin is  
5 correct that under 28 U.S.C. § 1331, United States district courts have original federal question  
6 jurisdiction “of all civil actions arising under the Constitution, laws, or treaties of the United  
7 States,” not every invocation of federal law will suffice to make the claim subject to federal  
8 jurisdiction. 28 U.S.C. § 1331. Colvin may not “transform a state-law issue into a federal one  
9 merely by asserting a violation of due process.” *Langford v. Day*, 110 F.3d 1380, 1389 (9th Cir. 1996),  
10 *cert. denied*, 522 U.S. 881 (1997). In support of his position, Colvin merely cites federal laws in  
11 overbroad terms, which do not sufficiently demonstrate that this court has the jurisdictional  
12 authority to preside over this action. I cautioned Colvin in my show-cause order that his failure  
13 to sufficiently establish subject-matter jurisdiction “will result in the dismissal and closing of  
14 this case without further notice.” ECF No. 15 at 4. He was thus on notice that his case could be  
15 dismissed, in compliance with the Ninth Circuit’s requirement that “before dismissing a pro se  
16 complaint[,] the district court must provide the litigant with notice of the deficiencies in his  
17 complaint.” *Ferdik v. Bonzelet*, 963 F.2d 1258, 1261 (9th Cir. 1992) (citation omitted).

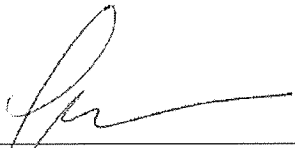
18 I find Colvin’s response to the order insufficient to establish the existence of subject-  
19 matter jurisdiction. “If the court determines at any time that it lacks subject-matter jurisdiction,  
20 the court must dismiss the action.” Fed. R. Civ. P. 12(h)(3). Because it is not clear how or  
21 whether this court has jurisdiction over this case, I dismiss it for lack of subject-matter  
22 jurisdiction.

Conclusion

IT IS HEREBY ORDERED that plaintiff's Motion for Recusal (ECF No. 32), Motion for Court to Rule (ECF No. 35), and Motion to Extend Time to Reply to Court Order First Request (ECF No. 37) are DENIED as moot.

IT IS FURTHER ORDERED that this case is DISMISSED with prejudice for lack of subject-matter jurisdiction. The Clerk of the Court is directed to CLOSE THIS CASE. Colvin is cautioned that he may not file further documents in this case because it is now closed.

DATED: November 7, 2022

  
Cristina D. Silva  
United States District Judge

# EXHIBIT 3



JUSTICE COURT, LAS VEGAS TOWNSHIP  
CLARK COUNTY, NEVADA

TAKO LLC

Landlord,

CASE NO.

21E014316

-vs-

PARNELL COLVIN

Tenant.

MOTION TO CONTINUE  
SUMMARY EVICTION HEARING AND/OR  
FOR TELEPHONIC APPEARANCEI am the (check one box) ☐ Landlord or ☒ Tenant in this summary eviction case, and I request that the Court:☒ continue the hearing set for (insert current date of hearing) next week for the following

reasons (describe why you need a continuance):

DAVID BROWN changed my court date time  
on the 17 of November at 10:00 AM until I don't have  
a hearing in federal court the same date and time☐ allow for my telephonic appearance for the following reasons (describe why you are requesting a telephonic appearance):This court don't even have Jurisdiction  
Federal removal is in place but DAVID BROWN will  
violate the

If my request for a telephonic appearance is granted, the telephone number where I can be reached for the hearing is (insert your telephone number where you want to be called for the hearing):

I am including the following documents to support my request (attaching documents will help prove your request):

you don't even have Jurisdiction to hear this case

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

11/15/2022

(Date)

PARNELL COLVIN

(Print name)

[Signature]

(Signature)

## CERTIFICATE OF MAILING

I HEREBY CERTIFY that I served the foregoing MOTION TO CONTINUE SUMMARY EVICTION HEARING on (insert date of service) \_\_\_\_\_, pursuant to JCRCP 5(b) by depositing a copy of the same in the United States Mail in Las Vegas, NV, postage prepaid, addressed as follows:

(Other party's name)

TAKO LLC

(Other party's address)

2411 TARNATEA AVE  
ANDERSON, NV 89052

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

11/15/2022

(Date)

PARNELL COLVIN

(Print name)

[Signature]

(Signature)

DAVID BROW you have no  
Jurisdiction case is removed to federal court!

1 PARNELL COLVIN

(Name)

2 6681 TARA AVE

(Address)

3 LAS VEGAS, NV 89146

(City, State, Zip Code)

4 (503) 490-6564

(Telephone Number)

5 PC681@YAHOO.COM

(E-mail Address)

6 ☐ Plaintiff/ ☐ Counterclaimant/ ☐ Cross-Claimant/7 ☐ Third-Party Claimant, In Proper Person

8 JUSTICE COURT, TOWNSHIP OF LAS VEGAS

9 CLARK COUNTY, NEVADA

10 TAKO LLC

Case No.: 21E014316

11 Plaintiff(s),

Dept. No.: \_\_\_\_\_

12 vs.

13 PARNELL COLVIN

14 Defendant(s).

15 ☒ DOCUMENTS IN SUPPORT OF: (insert name of document you are supplementing)

16 NOTICE OF REMOVAL TO FEDERAL COURT

17 ☐ OTHER: (insert title of document)

18 FEDERAL CIVIL COVER SHEET / SUPPORT DOCS

19 DATED this 15 day of NOVEMBER, 2022.

20 I declare under penalty of perjury under the laws of the  
21 State of Nevada that the foregoing is true and correct.22 

(signature)

23 PARNELL COLVIN

(print name)

24 ☐ Plaintiff ☒ Defendant ☐ Other

25 In Proper Person

**CERTIFICATE OF MAILING**

I CERTIFY that on the 15 day of NOVEMBER, 2022, I placed a true and correct copy of the \_\_\_\_\_ in the United States Mail, with first-class postage prepaid, addressed to the following (*insert name and address of each party in the case*):

TAKO LLC

2411 TARAGATO

HENDERSON, NV 89052

KERR SIMPSON ATTORNEYS AT LAW

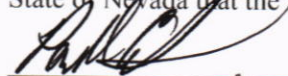
TAYLOR SIMPSON, ESQ BAR NO: 13956

2900 W. HORIZON RIDGE PARKWAY, SUITE 200

HENDERSON, NV 89052 (702) 451-2055

DATED this 15 day of NOVEMBER, 2022.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.



PARNELL COLVIN

(signature)

(print name)



1 PARNELL COLVIN  
2 6681 TARA AVE  
3 LAS VEGAS, NV 89146  
4 PH: (503) 490-6564  
5 EMAIL: PC681@YAHOO.COM  
6  
7  
8

9 TAKO LLC, LANDLORD

CASE # 21EO143616

JC CIVIL EVICTIONS

12 VS.

MOTION TO INFORM THE COURT  
IT HAS NO JURISDICTION TO  
HEAR CASE DO TO REMOVAL  
NO HEARING IS NECESSARY.

13 PARNELL COLVIN, TENANT  
14 \_\_\_\_\_/

15  
16  
17 Comes now defendant / tenant Parnell Colvin, and is informing Hearing Master  
18 David Brown, that he has jurisdiction to hear said case and make sure he want try and violate  
19 Mr. Colvin, constitutional rights. Colvin, has removed the said case to federal court with the filing  
20 of the notice of removal with the the United States District Court of the District Court of Nevada and  
21 also filing said notice of removal with the Las Vegas Justice Court ending this courts jurisdiction to  
22 hear this case. The state court shall not proceed no further unless case is remanded.  
23  
24 See " 28 U.S.C. 1446 (d); See also Ackerman V. Exxon Mobile Corp ( 4th Cir. 2013 ) 734 F3D 237,  
25 249-250 ( ANY POSTREMOVAL ACTION BY THE STATE COURT IS VOID AB INITIO ).  
26  
27  
28



1 The state court may resume jurisdiction only if and when the case is remanded by the  
2 federal court see ( Allstate Ins. Co. V. Sup Ct. ( Wickham ) (1982) 132 Cal App. 3d 670, 676  
3 ( no power to resume if federal court dismisses rather than remand); See also  
4 Murray V. Ford Motor Co. ( 5th Cir. 1985) 770 F2d 461, 463 ( state court has no power to set  
5 aside default judgement after removal). The removal is effected automatically by defendant filling  
6 requisite document and giving the required notice ( above). See 28 U.S.C. 1446 (e); see also  
7 Rollwits V. Burlington Northern Railroad (D MT 1981) 507 F. Supp. 582.584..  
8

9  
10 Once the notice of removal is filed with the state court 28.U.S.C. 1446 a case is removed  
11 from the jurisdiction of the state case for all purposes until case is remanded. No valid  
12 proceedings can be taken in the state case court at any time following the filing of such notice of  
13 removal with the clerk of the state court. Furthermore, that any action taken in the state court  
14 thereafter and prior to remanding the cause to such state court, will have no force or effect.  
15  
16

17 U.S.C.1446 ( West 2015) ( boldface omitted) ( emphasis added). " Hence, after removal, the  
18 jurisdiction of the state court absolutely ceases and the state court has a duty not to proceed any  
19 further in the case. Any subsequent proceedings in state court on the case are void ab initio,  
20 See Masseda V. Honda Motor Co. Ltd 861 F.2d 1248, 1254-55 ( 11 Cir. 1988) ( Internal citation  
21 omitted), See DB50-2007-1 Tr, v. Dixon, 723 S.E. 2d 495, 496 ( Ga Ct App. 2012). Any  
22 proceedings in the state court after removal of a case to federal court are null and void and must be  
23 vacated.  
24  
25

26 ///////////////  
27  
28

CERTIFICATE OF SERVICE

---

This is to certify that I have this day served all parties with a copy of the foregoing pleading. By depositing same in the United States mail with adequate postage thereon to assure delivery to the the following listed below and the parties also get the filing with the court through E-FILE.

TAKO LLC  
2411 TARAGATO AVE  
HENDERSON, NV 89052

KERR SIMPSON ATTORNEYS AT LAW  
TAYLOR SIMPSON, ESQ BAR NO: 13956  
2900 W. HORIZON RIDGE PARKWAY, SUITE 200  
HENDERSON, NV 89052  
TEL: (702) 451-2055

ATTORNEYS FOR PLAINTIFF

DATED THIS NOVEMBER 15, 2022



PARNELL COLVIN



PARNELL COLVIN  
6681 TARA AVE  
LAS VEGAS, NV 89146  
PH: (503) 490-6564  
EMAIL: [PC681@YAHOO.COM](mailto:PC681@YAHOO.COM)  
Case No: 21E014316

Dear Hearing Master Brown,

I have filed a notice of removal with the United States District Court of Nevada and also filed the same notice With Las Vegas Justice Court. You should no the law and understand you have no legal jurisdiction to hear said case and you should no any actions you take or try and hear this case is illegal and I will file a complaint with Nevada Commision on Judicial Discipline and request that you be removed from the bench for intentionally and knowingly violating the laws and my constitutional rights. I No, you could not wait for this case to be refiled with you. You gave me less than a week to appear not taking into account the Veteran Day Holiday and no mail was being delivered on that day or sundays.

I have been before you several times so I know how you operate. You are a one sided hearing master always for the landlord. You like to restrict tenants from presenting and arguing their cases in front of you especially black tenants like myself which may go towards your biases and prejudices towards black tenants that I have witnessed before including myself. My last name starts with the letter ( C ) and cases are called in alphabetical order but when I come before you you call my case last because I have corrected your wrong positions many times and you don't want other tenants to no their rights so you can abuse them! Not me. It was clear you did not understand the laws and you were violating the law and their rights but the tenants did not know how to fight back so I prepared myself for you.

I witnessed you call a black tenant case the landlord did not show up so you dismissed the case an hour later the landlord showed up you recalled the case knowing the tenant had already left the court. You then granted the landlord eviction; the poor tenant did not know he was getting evicted but you did. I witnessed another minority tenant do work in lieu of rent and you forced him and his young daughter to leave the property he worked on after he did all the work to get the landlord's house up to code and liveable and you forced them out.

Another black female tenant was before you trying to plead her case you would not let her speak or defend her position. Telling her to be quiet while you always let the landlords, agents or their attorneys speak out of place and freely submit documents that were not filed with the court so tenants don't have an opportunity to properly prepare for your hearings. When black tenants like myself try to show you a document the first thing you say is was it filed with court. You have a double standard. I have witnessed your clear prejudices and bias towards black tenants.



Now my experiences before you. I came before where I went to the landlord's house to pay my rent and video recorded my efforts to pay my rent. The law is clear once a landlord requests rents and tenants want to pay rent the landlord can't then refuse to accept the rent. You disregarded the video and then asked the landlord what she wanted to do and I even brought the rent to court. The landlord said She wanted me out and so you granted the eviction. What you should have said was I see from a video that Mr. Colvin, is at your home to pay the rent and you are refusing to accept the rent. So if you don't take the rent that is on you but I will not grant the eviction but no you are always for the landlord so you evicted me anyway.

I had hired an attorney, Alexis Brown, while she was trying to defend my position. While she was looking at documents her head was down I kept my eyes on you the whole time as you rolled your eyes at her to suggest she was wasting your time. She was unaware of your demeanor so I spoke out and you tried to intimidate me by having your bailiff stand behind me like you did with Ms. Brown, and the previous black tenant.

Another incident you let the same landlord submit a forged fraudulent lease agreement where the landlord, Tako LLC, forged Ms. Brown personal information on my lease so she would be a tenant so you could evict her. She explained to you that she was not a tenant you must have realized that Tako LLC, submitted a forged fraudulent lease agreement with the court you then asked Ms. Brown, where I was, she said I was at work. Any other judge would have been disturbed that a landlord would have the audacity to commit such a crime within the court not Hearing Master David Brown, as long as he gets to grant an eviction it's all fair game.

Furthermore the same fraudulent forged lease agreement was again submitted again by Tako LLC, attorney Taylor Simpson, You both should fact check facts. Then last but not least David Brown, I filed an answer to the same Tako LLC, summary eviction I was waiting for my court date for a hearing. Instead what you did was try and be sneaky instead of giving me a court date you did not instead you granted the eviction without a hearing. I had to leave work to go to the constable to cancel the lock out and I showed the constable that I had filed an answer and I was waiting for a court date. The constable informed you that it would not do a lock out.

So you gave me a court date and at the hearing I called you out on your illegal attempt to evict me. During our hearing you apologized and blamed it on your staff stating to me that you just signed what your staff puts before you. I asked do you fact check what you sign and you said no. David Brown, you owe me \$ 500.00 for missing work to attend your illegal eviction hearing that day remember?

You and Taylor Simpon, want to label me as a vexatious or litigious litigator because I just want stand down and like you violate my rights not happening with me. You both talk about my bankruptcies. Neither one of you know what has happened with my cases know the facts before you just say things that you have no knowledge about what transpired. David Brown, you should not take this case so personally and understand citizens have rights and can exercise them when they choose. I know this case is personal for you and I have always been. I am always prepared to fight, no need to rant and complain in your orders, just keep it simple and state you



don't have any legal jurisdiction to hear this case. At the end of the day I know how bad you want to evict me. I have taken the liberty of submitting the court's minutes from the DISTRICT COURT CLARK, NEVADA Judge Maria Gall. She understood the law and acknowledged my notice of removal to federal court. She told Taylor Simpson many times that she did not have jurisdiction because of my notice of removal. Mr. Simpson, cried and ranted for about 10 minutes and the judge kept telling him she did not have jurisdiction. After listening to attorney Taylor Simpson cry and try to pressure the judge to hear him she repeatedly told him she had no jurisdiction. This is the problem of trying to have some form of sympathy for the landlords. Attorneys like Taylor Simpson, lie all the time in their motions, brief lawsuits etc to try and get the advantage.

Not to mention I was never served and probably forged the proof of service that has been filed with the court because I was to be served by Tako LLC, had 48 hours before the hearing to serve me which I was not. Tako LLC, or this court by and through attorney Taylor Simpson, want to walk over and violate my rights and I have the right to fully exercise my rights in state and federal court!

A-22-860164-C

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Unlawful Detainer**

**COURT MINUTES**

**November 03, 2022**

---

A-22-860164-C      Tako, LLC, Plaintiff(s)  
vs.  
Parnell Colvin, Defendant(s)

---

**November 03, 2022      11:30 AM      Minute Order**

**HEARD BY:** Gall, Maria

**COURTROOM:** Chambers

**COURT CLERK:** Kory Schlitz

**PARTIES**      None - Minute Order Issued from Chambers  
**PRESENT:**

**JOURNAL ENTRIES**

- On November 3, 2022, the Court held a hearing, at which it recognized that Plaintiff had filed a notice of removal to federal court divesting this Court of jurisdiction and, therefore, the Court would not proceed further. Following the hearing, Plaintiff e-mailed the Court, asking among other things that the Court recuse itself from this case for bias and prejudice and informing the Court that Plaintiff intended to file a complaint with the Nevada Commission on Judicial Discipline. The Court reiterates that it is divested of jurisdiction from this case given the notice of removal and will not proceed further unless and until the case is remanded to this Court.

CLERK'S NOTE: Counsel are to ensure a copy of the forgoing minute order is distributed to all interested parties; additionally, a copy of the foregoing minute order was distributed to the registered service recipients via Odyssey eFileNV E-Service; and mailed to: Parnell Colvin 6681 Tara Ave, Las Vegas, Nevada 89146 (11-3-2022 ks).



JS 44 (Rev. 10/20)

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

PARNELL COLVIN / PRO SE

(b) County of Residence of First Listed Plaintiff CLARK  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS	FILED	RECEIVED
TAKO LLC	ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD		
County of Residence of First Listed Defendant <u>CLARK</u>		
(IN U.S. PLAINTIFF CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.)		
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.		
Attorneys (If Known) <u>CLERK US DISTRICT COURT</u>		
DISTRICT OF NEVADA		
BY:		DEPUTY

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

## V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Recopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
 28 U.S.C 1441 AND 1446 ALSO VIOLATING STATUE 18 U.S.C. SECTION 1343

Brief description of cause:

DEFENDANT HAS VIOLATING PLAINTIFF DUE PROCESS AND CONSTITUTIONAL RIGHTS.

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$  
100,000


CHECK YES only if demanded in complaint:  
JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE DAVID BROWN / HEARING MASTERDOCKET NUMBER 21E01436

DATE  
NOVEMBER 15, 2022

SIGNATURE OF ATTORNEY OF RECORD  
PARNELL COLVIN 

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

1 PARNELL COLVIN  
2 6681 TARA AVE  
3 LAS VEGAS, NV 89146  
4 PH: (503) 490-6564  
5 EMAIL: PC681@YAHOO.COM

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
NOV 15 2022	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

6 UNITED STATES DISTRICT COURT

7 DISTRICT OF NEVADA

8  
9 2:22-cv-01928-CDS-NJK

10 PARNELL COLVIN,

11 Pliantiff.

12 COMPLAINT FOR COMPENSATORY  
13 AND PUNITIVE DAMAGES

14 VS.

15 &

16 TAKO LLC,

17 DEMAND FOR JURY TRIAL

18 Defendant.

19 COMES NOW Pliantiff Parnell Colvin and hereby complains, avers and alleges as  
20 follows:

21 I.

22 PARTIES AND JURISDICTION

- 23
- 24 1. At all times relevant herein, Mr Colvin was a resident of the County of Clark, state of Nevada.
  - 25 2. Plaintiff is informed and believes and thereon alleges that at all times relevant herein,  
26 Defendant TAKO LLC, was a Nevada corporation doing busniess in the County of Clark, state of  
27 Nevada.  
28



II.

STATEMENT OF FACTS

---

Jurisdiction is proper in this court as this action arises under federal law: for example provisions of title 18 U.S.C 1343 Fraud by wire, radio, or television. Where the defendant filed a forged fraudulent lease contract with the state court using a electronic devise. The defendant knew the document was it electronically filed was fraudulent because the defendants forged Ms. Brown, personal contact information on plaintiff Colvin, contract lease to try and illegally gain an advantage in state court proceedings. Plaintiff Colvin, filed a police report with the Nevada state attorney general office. The Nevada State Attorney general instructed Plaintiff Colvin, to file a police report against the defendant Tako LLC.

Colvin, filed a police report with the Las Vegas Metro Police Department. Colvin, believes using a wire transfer or electronic devise to knowingly and intentionally alter an lease contract and file this illegal document through electronic means for the purpose of knowingly committing a federal crime. Plaintiff Colvin, will file with the court the forged, fraudulent lease contract the defendant electronically filed to commit the fraud and identity theft.

II.

The defendant also committed Identity Theft due to the sharpe rise in Identity Theft and Assumption Deterrence Act in 1998. Under this act 18 U.S.C. 1028 was amended to make it a federal crime to knowingly commit, attempt to commit, or aid in the committing identity theft.



III.

Plaintiff Colvin, was never served Colvin, is sure that it probably a proof of service filed in state court as many processors will just file in the blanks and file with the court and the courts believe the person was served. This is a common practice because the companies want business and if they are not serving the person they were hired to serve the service company loses businesses. Not serving me is a denial of due process and can lead to a court granting a default motion. Colvin, knows how important this process is and court demand that the other party be served.

Cases get dismissed if no proof of service is timely filed with the courts. Defendants violated Nevada Revised Statutes Chapter 14 - Commencement of Actions NRS 14.025 - certain requirements for proof of service of process filed with the court. The defendant has violated these requirements and Colvin, due process rights have been violated as he was never served. This has become a problem all over the country where these processors are filing and claiming they have served the persons named in legal papers when in fact the persons have never been. Often learning about court proceedings after getting garnished because a default judgement was entered against a party.

Plaintiff Colvin, is reserving his right to amend his complaint at a later date if becomes necessary to litigate his complaint.

////////

////////

////////

1 WHEREFORE. Plaintiff Colvin, prays for judgment against the defendant as follows:

2 a. For compensatory damages in the sum according to proof at trial;

3 b. For special damages in the sum according to proof at trial;

4 c. For consequential damages in the sum according to proof at trial;

5 d. For punitive damages in a sum according to proof at trial;

6 e. For all equitable and declaratory relief available;

7 F. For interest and pre- judgment interest at the statutory rate until the amount of

8 judgment is paid in full;

9 g. For such other and futher relief as the court may deem appropriate.

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DATED THIS NOVEMBER 15, 2022



PARNELL COLVIN

**U.S. District Court****Nevada None - Las Vegas**

Receipt Date: Nov 15, 2022 1:39PM

Parnell Colvin

Rcpt. No: 200001285

Trans. Date: Nov 15, 2022 1:39PM

Cashier ID: #HM

CD	Purpose	Case/Party/Defendant	Qty	Price	Amt
*201B	Civil Filing Fee/PLRA-PIF/Non-IFP		1	402.00	402.00

CD	Tender	Amt
CA	Cash	\$402.00

Total Due: \$402.00

Total Tendered: \$402.00

Total Cash Received: \$402.00

Cash Change Amount: \$0.00

Only when the bank clears the check, money order, or verifies credit of funds, is the fee or debt officially paid or discharged. A \$53 fee will be charged for a returned check.

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

FILED	DEPT
ENTERED	SERIALIZED
COUNSEL PARTIES OF RECORD	
NOV 15 2022	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

TAKO LLC,  
  
Plaintiff.

Case No: 21E014316  
JC CIVIL

VS.

2:22-cv-01928-CDS-NJK

PARNELL COLVIN,  
  
Defendant.

\_\_\_\_\_/

NOTICE OF REMOVAL OF CIVIL ACTION

---

Comes Now , The defendant in the above styled case, and files this Notice of Removal pursuant to 28 U.S.C. 1441, and 1446 and respectfully states the following.

(1). The case of ( TAKO LLC V. PARNELL COLVIN) was filed and is presently pending in the Las Vegas Justice Court in Clark County Nevada the same being Civil Action Number 21E014316.

(2). The defendant contends that the plaintiff has violated certain rights provided by the United States Constitution Due Process guaranteed by the Fourteenth and Fifth Amendments of the United States Constitution.

(1).



(3). This court has jurisdiction in the matter on the basis of federal question jurisdiction pursuant to 28 U.S.C. 1331 and 1441 (b).

(4). Additionally, there is supplemental jurisdiction regarding other claims in this action pursuant to 28 U.S.C. 1367.

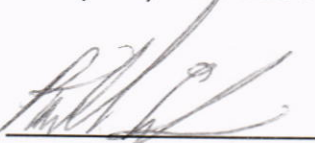
(5). Venue properly rests in the United States District Court of Nevada, as this case has been removed from Las Vegas Justice Court of Clark County Nevada.

(6). Defendant Parnell Colvin, is exercising his United States Constitutional right to removal of this action to the United States District Court District of Nevada.

(7). The filing of this notice in the United States District Court District Court of Nevada and filed with the Las Vegas Justice Court This action removes jurisdiction to the United States federal court and Las Vegas Justice has no legal jurisdiction over said case and any further proceedings are illegal and must cease.

DATED THIS NOVEMBER 15, 2022

Parnell Colvin  
6681 Tara ave  
Las Vegas, Nv 89146  
Email: [pc681@yahoo.com](mailto:pc681@yahoo.com)  
PH: (503) 490-6564



PARNELL COLVIN

(2).



# EXHIBIT 4

1 JUSTICE COURT, LAS VEGAS TOWNSHIP  
2 CLARK COUNTY, NEVADA

3 TACO LLC,

4 Tenant(s),

5 vs.

6 PARNELL COLVIN,

7 Tenant(s).

) CASE NO.: 21E014316

) DEPT. NO.: JC Civil Evictions

) ORDER VACATING HEARING and  
) CONTINUING STAY UNDER  
) FEDERAL REMOVAL NOTICE

8  
9  
10 This matter was initiated by Landlord's service of a 30-day "no cause" tenancy  
11 termination notice on June 2, 2021 and a 5-day unlawful detainer on July 15, 2021. Tenant filed a  
12 contesting affidavit on July 19, 2021. Tenant filed a Civil Cover Sheet suggesting removal to  
13 federal court on July 21, 2021. The September 7, 2021 hearing in this matter was vacated on  
14 August 26, 2021 based upon Tenant's removal filing.

15 Tenant has now filed a third attempt to remove this matter to U.S. District Court in Case  
16 No. 2:22-cv-01928-CDS-NJK, which was filed as a document in support of Tenant's Motion to  
17 Continue this action filed on November 15, 2022. This matter had been placed back on calendar  
18 for hearing on November 17, 2022 per motion by Landlord providing notice of the Federal  
19 Court's order dismissing with prejudice Tenant's second removal action, Case No. 2:22-cs-00082-  
20 CDS-DJA. In its November 7, 2022 order of dismissal, the Federal Court found that it did not  
21 have jurisdiction over the eviction dispute. (Plaintiff's first removal attempt was dismissed on  
22 November 23, 2021 in Case No. 2:21-cv-01373-APG-BNW.)

23 Due to the special circumstances of this case, this hearing officer consulted the court's  
24 Chief Judge, together requesting legal research to be performed regarding whether this court can  
25 move forward with hearing despite the third removal notice when the second removal action was  
26 dismissed with prejudice. This hearing officer was informed that the court must recognize the  
27 current removal notice and stay the action further. This court may move forward if the Federal  
28 Court affirmatively prohibits the Tenant from filing a new removal as it pertains to this eviction

1 action or sanctions the Tenant in some other form which makes it clear the Justice Court may  
2 proceed.

3 It may be appropriate for the court to comment on the ongoings of this case. First,  
4 Tenant's argument for removal has been that this court held a hearing without him in violation of  
5 his constitutional rights. The court points out two things in regard to this. First, Tenant was  
6 incorrect in alleging the court held a hearing without him. The court vacated the hearing and has  
7 never had a hearing in this matter despite it commencing on July 19, 2021. So, there has been no  
8 denial of any right to participate in a hearing. Second, the Federal Court in Tenant's second  
9 removal action pointed out that the constitution did not provide any right to hearing in this matter.  
10 That is afforded to individuals subject to criminal complaint.

11 It is also appropriate to respond to Tenant's mantra that the Justice Court does not have  
12 jurisdiction to hearing this matter. This hearing officer knows that the Justice Court has  
13 jurisdiction to hear these matters. Over the course of six years hearing eviction cases, not one  
14 federal removal attempt by any tenant has succeeded. In every instance, the federal court has  
15 remanded to the Justice Court to proceed, always on a finding that the federal court lacks  
16 jurisdiction. Jurisdiction is expressly created in the state courts by NRS 40.215-40.420.

17 The court will further respond to one of Tenant's complaints which is that this court did  
18 not immediately vacate his first hearing which was set for September 7, 2021. This is because  
19 various federal judges have, sua sponte or on their own authority, simply and expeditiously  
20 remanded the removal case back to the Justice Court without motion by any party or without  
21 hearing, which is within the federal court's authority. When no such order came, the hearing date  
22 was vacated. Other judges have, as in the second removal which looked much like a simple  
23 complaint rather than a removal, waited for parties to file motions or ordered tenants to show  
24 cause why the action or removal should not be disposed of for lack of jurisdiction.

25 Finally, while the court has no idea whether Tenant actually holds a sincere belief that his  
26 removal action is legally well-founded, it is clear that the result of Tenants ten bankruptcy filings  
27 (none of which were pursued to discharge) and his three removal notices during the course of this  
28 action have resulted in a denial of Landlord's right to summary adjudication of this matter.

1 Tenant's actions otherwise have all appearance of abuse of civil processes to delay this action. By  
2 stating this, this hearing officer is not stating that it has any notion of whether it may grant or deny  
3 an eviction. That is reserved for the time of hearing after all evidence is received by the court.  
4 However, NRS 40.215-40.290 are meant to provide a simple and expeditious means of bringing  
5 eviction matters before this court, where this court may consider defenses such as discrimination  
6 or other "federally" based claims. These summary eviction matters typically are heard within one  
7 to two months. Based upon Tenant's bankruptcies and removal attempts, this matter has been  
8 pending without ANY hearing for almost 17 months.

9 According to the above, the court vacates the hearing set for 10:00 a.m., November 17,  
10 2022 until the federal court may take action which would permit the justice court to move  
11 forward. If such occurs, Landlord may refile its motion to place on calendar.

12  
13 DATED this 16<sup>th</sup> day of November, 2022.

14  
15   
16 **HEARING MASTER DAVID BROWN**  
17 **LAS VEGAS JUSTICE COURT**  
18  
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28

# EXHIBIT 5



JUSTICE COURT, TOWNSHIP OF LAS VEGAS  
CLARK COUNTY, NEVADA

Plaintiff's  
Name: TAKO, LLC c/o Kerr Simpson Attorneys at Law  
Address: 2900 W. Horizon Ridge Parkway, Suite 200  
City, State, Zip: Henderson, NV 89052  
Phone: 702-451-2055  
E-Mail: taylor@kerrsimpsonlaw.com

Case No.: 21E014316  
Dept No.: \_\_\_\_\_

Plaintiff,

vs.

Defendant's  
Name: Parnell Colvin  
Address: 6681 Tara Ave  
City, State, Zip: Las Vegas, NV 89146  
Phone: 503-490-6564  
E-Mail: PC681@yahoo.com

Defendant.

MOTION TO PLACE ON CALENDAR  
(SUMMARY EVICTION)

(Insert your name) TAKO, LLC, the (check one box)

☒ Landlord or ☐ Tenant in this summary eviction case, requests that the Court place this matter on its calendar for a hearing. I believe a hearing is warranted and necessary for the following reasons (describe why you think a hearing is required and what action you want the Court to take):

The Court should place the matter on calendar and should issue an order to evict Defendant because the Justice Court now has jurisdiction. On December 5, 2022, the Federal Court issued an Order dismissing the Federal Case (Case No. 2:22-cv--01928-CDS-NJK) for lack of Subject-Matter Jurisdiction. See Order attached hereto as Exhibit 1. Thus, the Justice Court now again has jurisdiction to hear the instant case and issue an Order evicting Tenant from the premises for Tenant's unlawful detainer.

(Check if attaching additional pages ☐)

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing is true and correct.

12/6/2022  
(Date)

Taylor Simpson, Esq.  
(Type or print name)

(Signature)

**CERTIFICATE OF SERVICE**

I CERTIFY that on *(insert date document served)* December 6, 2022, I served this **MOTION TO PLACE ON CALENDAR (SUMMARY EVICTION)**, pursuant to JCRCP 5(b), by the following method *(check one box)*:

☒ Depositing a copy in the United States Mail in Las Vegas, Nevada, postage prepaid, to the address listed below *(on lines below insert name and mailing address of opposing party's attorney, or opposing party directly if no attorney is involved)*.

☐ Delivering, by hand delivery, a copy to the address listed below and leaving it (i) with the opposing party or opposing party's attorney; (ii) at the office of the opposing party with a person in charge or in a conspicuous place; or (iii) at the dwelling house of the opposing party with a person of suitable age and discretion residing therein *(on lines below insert name and mailing address of the opposing party, opposing party's agent or attorney, or person of suitable age and discretion, as applicable)*.

Parnell Colvin

6681 Tara Ave

Las Vegas, NV 89146

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

12/6/2022

*(Date)*

Lisa Peters

*(Type or Print Name)*



*(Signature)*

1  
2 UNITED STATES DISTRICT COURT  
3 DISTRICT OF NEVADA  
4

5 Parnell Colvin,

6 Plaintiff

7 v.

8 Tako, LLC,

9 Defendant

Case No. 2:22-cv-01928-CDS-NJK

Order Granting Motion to Remand,  
Denying Motion for Removal, and  
Closing Case[ECF Nos. 2, 4]  
10

11 Pro se plaintiff Parnell Colvin seeks, for the fourth time, to remove to this court the same  
12 eviction action brought against him by defendant Tako, LLC in the Las Vegas Justice Court.  
13 Removal Mot., ECF No. 2. Colvin alleges that this court has federal-question jurisdiction under  
14 28 U.S.C. §§ 1331 and 1441(b). *Id.* He also alleges that this court has supplemental jurisdiction  
15 under 28 U.S.C. § 1367. *Id.* Tako filed an emergency motion to remand to state court. Remand  
16 Mot., ECF No. 4. Tako contends that this court lacks jurisdiction because there is no diversity of  
17 citizenship, as Colvin and the members of Tako are all residents of Clark County, Nevada. *Id.* at  
18 3. And it alleges that there is no federal question, as this is a simple summary-eviction matter. *Id.*  
19 at 3. In his response, Colvin argues that Tako “illegally created a false fake lease contract, stole[]  
20 Ms. Brown[s] identity which is identity theft, then forged her personal information on a[n]  
21 illegal[ly] created contract and signed her name.” Resp., ECF No. 8 at 4. For the reasons set forth  
22 herein, I hereby deny Colvin’s motion for removal and grant Tako’s motion to remand to state  
23 court.  
24  
25  
26

1 I. Discussion

2 As a threshold matter, this court has no jurisdiction over this action. There is no federal-  
3 question jurisdiction over the underlying litigation. United States District Courts have original  
4 federal-question jurisdiction “of all civil actions arising under the Constitution, laws, or treaties  
5 of the United States.” 28 U.S.C. § 1331. However, an action “arises under” federal law only if the  
6 federal question appears on the face of the complaint. Here, Colvin alleges that federal-question  
7 jurisdiction exists based on Tako’s violation of criminal statutes 18 U.S.C. §§ 1028 and 1343.  
8 Compl., ECF No. 1 at 2; *see also* ECF No. 8 at 4–5. Yet for Colvin to “allege a claim under a federal  
9 statute, the statute must provide for a private right of action.” *Riley v. Quality Loan Serv. Corp.*, 2019  
10 WL 157838, at \*2 (S.D. Cal. Jan. 10, 2019) (*see Touche Ross & Co. v. Redington*, 442 U.S. 560, 568  
11 (1979)). For a private right of action to exist, the legislature must expressly state in a statute  
12 that private persons have the right to sue if someone violates the law. The Ninth Circuit has held  
13 that the criminal wire-fraud statute, 18 U.S.C. § 1343, “does not evince an intent by Congress to  
14 create a private right of action.” *Id*; *see also Chen v. T.T. Group*, 2014 WL 12613519 (C.D. Cal. May 29,  
15 2014) (“18 U.S.C. §§ 1341 and 1343 are criminal wire fraud statutes. They do not create civil  
16 causes of action, nor do they give this [c]ourt permission to hear state contract claims”). The  
17 same is said for the violation of criminal statute 18 U.S.C. § 1028. *Murphy v. JP Morgan Chase*, 2015  
18 WL 2235882, at \*4 (E.D. Cal. May 11, 2015); *see also Lassetter v. Brand*, 2011 WL 4712188, \*2 (W.D.  
19 Wash. Oct. 4, 2011) (holding that 18 U.S.C. § 1028 provides no private right of action and cannot  
20 form basis for civil suit).

21 Nor does this court have diversity jurisdiction over the underlying litigation. A federal  
22 court’s diversity jurisdiction extends “to all civil actions where the matter in controversy  
23 exceeds . . . \$75,000 . . . and is between . . . [c]itizens of different [s]tates.” 28 U.S.C. § 1332(a)(1).  
24 This action involves Colvin—a Nevada resident who lives in the property at the heart of this  
25 dispute—and Tako, a Nevada limited liability company. For purposes of diversity jurisdiction, a  
26 limited liability company (LLC) has the citizenship of the state in which its members are



1 citizens. 28 U.S.C. § 1332(a)(1); *see also Johnson v. Columbia Props. Anchorage, LP*, 437 F.3d 894 (9th  
2 Cir. 2006). The members of Tako are residents of Clark County, Nevada. ECF No. 4 at 3.  
3 Accordingly, complete diversity does not exist because Colvin and Tako are both Nevada  
4 residents.

5 District courts have discretion to decline to exercise supplemental jurisdiction if: “(1) the  
6 claim raises a novel or complex issue of [s]tate law, (2) the claim substantially predominates  
7 over the claim or claims over which the district court has original jurisdiction, (3) the district  
8 court has dismissed all claims over which it has original jurisdiction, or (4) in exceptional  
9 circumstances, there are other compelling reasons for declining jurisdiction.” 28 U.S.C. § 1367(c).  
10 In evaluating these exceptions, I find that all weigh in favor of declining to exercise  
11 supplemental jurisdiction. Colvin’s alleged claims do not raise a novel or complex issue of [s]tate  
12 law, and as demonstrated *supra*, this court has no original jurisdiction over his allegations of  
13 violations of federal statutes. In addition, courts may decline to exercise supplemental  
14 jurisdiction “in the interests of judicial economy, convenience, fairness, and comity.” *Rutherford v.*  
15 *Ara Lebanese Grill*, 2019 WL 1057919, at \*3 (S.D. Cal. Mar. 6, 2019) (citing *Carnegie-Mellon Univ. v.*  
16 *Cohill*, 484 U.S. 343, 357 (1988)). Thus, I find Colvin’s pattern of using the federal court system as  
17 a loophole to delay the ongoing eviction proceedings brought against him by Tako in the Las  
18 Vegas Justice Court as a compelling reason to decline supplemental jurisdiction.

19 Finally, this court does not have removal jurisdiction. A defendant may remove a civil  
20 action from state court to federal court if original jurisdiction would have existed in the federal  
21 court at the time the complaint was filed. 28 U.S.C. § 1441(a). On a motion to remand, the  
22 removing defendant must overcome the “strong presumption against removal jurisdiction” and  
23 establish that removal is proper. *Hunter v. Philip Morris USA*, 582 F.3d 1039, 1042 (9th Cir. 2009)  
24 (quoting *Gaus v. Miles, Inc.*, 980 F.2d 564, 566 (9th Cir. 1992)). Due to this strong presumption  
25 against removal jurisdiction, the court resolves all ambiguity in favor of remand to state court.  
26 *Gaus*, 980 F.2d at 566. Here, Colvin moved to remove the state-court proceeding to this court.

1 Not only is removal in this action not proper because this court does not have original  
2 jurisdiction over the case, but also, **only defendants—not plaintiffs**—may remove civil actions  
3 from state to federal court. 28 U.S.C. § 1446 (“A defendant . . . desiring to remove any civil action  
4 from a [s]tate court shall file in the district court of the United States for the district and  
5 division within such action is pending . . .”)(emphasis added). “The removal statute is strictly  
6 construed, and any doubt about the right of removal requires resolution in favor of remand.”  
7 *Moore-Thomas v. Alaska Airlines, Inc.*, 553 F.3d 1241, 1244 (9th Cir. 2009).

8 Consequently, given the “strong presumption” against removal jurisdiction, I find that  
9 Colvin has not met his burden of establishing that removal is proper in this action. *Nishimoto v.*  
10 *Federman-Bachrach & Assocs.*, 903 F.2d 709, 712 n.3 (9th Cir. 1990); *Emrich v. Touche Ross & Co.*, 846  
11 F.2d 1190, 1195 (9th Cir. 1988). Because “the court resolves all ambiguity in favor of remand to  
12 state court,” *Gaus*, 980 F.2d at 566, (9th Cir.1992), I grant Tako’s motion to remand to state  
13 court.

14 **III. Conclusion**

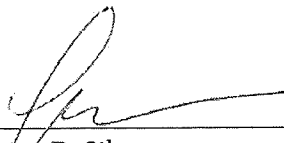
15 IT IS THEREFORE ORDERED that plaintiff’s motion for removal [ECF No. 2] is  
16 DENIED.

17 IT IS FURTHER ORDERED that defendant’s motion to remand [ECF No. 4] is  
18 GRANTED.

19 IT IS FURTHER ORDERED that this case is remanded back to the Las Vegas Justice  
20 Court, Clark County, Nevada, for lack of subject-matter jurisdiction.

21 The Clerk of Court is directed to CLOSE THIS CASE.

22 DATED: December 5, 2022

23  
24   
25 Cristina D. Silva  
26 United States District Judge

# EXHIBIT 6

JUSTICE COURT, Las Vegas  
CLARK COUNTY, NEVADA

TAKO LLC

Plaintiff,

-VS-

PARNELL COLVIN

Defendant.

CASE NO. 21E014316

DEPT. NO. JC CIVIL EVICTIONS

MOTION TO  
DISMISS EVICTION

(complete title to describe relief requested)

COMES NOW, the ☐ Plaintiff ☒ Defendant in the above-entitled matter and files this Motion for the following reasons: The landlord Tako LLC, has submitted a fraudulent lease agreement in the current court proceedings the fraudulent lease is not the defendant / tenant lease agreement. The lease filed by the landlord is the result of stealing Ms. Brown personal identity and personal information and adding her information to the fraudulent lease. The landlord also changed the lease dates from Colvin, original lease Colvin is the only tenant and only his name, initials and signature appear on his lease and even on the fraudulent one filed by the landlord. The court just cant look the other way and use the illegal lease for any justification for eveiction crimes state and federal have been committed by landlord here.

I declare under penalty of perjury that the foregoing is true and correct.

December 7, 2022

PARNELL COLVIN

(date)

(type or print name)

(signature)

**NOTICE OF MOTION**

TO: (Name of Opposing Party) TAKO LLC ; and

TO: (Name of attorney for Opposing Party, if any)

PLEASE TAKE NOTICE that a hearing on (check one) ☐ Plaintiff's ☒ Defendant's MOTION TO (insert the title of your motion) MOTION TO DISMISS EVICTION will be held at the Justice Court located at: in Department \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at the hour of \_\_\_\_\_ M.

**YOU ARE REQUIRED TO FILE WITH THE COURT AND SERVE ON THE MOVING PARTY A WRITTEN "OPPOSITION" TO THIS MOTION WITHIN 10 (TEN) JUDICIAL DAYS. YOUR FAILURE TO FILE AND SERVE A WRITTEN OPPOSITION MAY BE UNDERSTOOD AS AN ADMISSION THAT**



1 THE MOTION IS VALID, AND MAY RESULT IN THE COURT GRANTING THE RELIEF  
2 REQUESTED IN THE MOTION AGAINST YOU.

3 December 7, 2022

4 (date)

PARNELL COLVIN

(type or print name)



(signature)

6  
7 **CERTIFICATE OF MAILING**

8 I HEREBY CERTIFY that service of the foregoing MOTION TO TAKO LLC  
9 was made on (insert date) DECEMBER 7, 2022, 20<sup>22</sup>, pursuant to JCRCP 5(b) by depositing a  
10 copy of the same in the United States Mail in Las Vegas, NV, postage prepaid, addressed as follows:

11 (Other party's name) TAKO LLC

12 (Other party's address) 2411 TARAGATO AVE

13 HENDERSON, NV 89052


14 I declare under penalty of perjury that the foregoing is true and correct.

December 7, 2022

15 (date)

PARNELL COLVIN

(type or print name)



(signature)

PARNELL COLVIN  
6681 TARA AVE  
LAS VEGAS, NV 89146  
EMAIL:[PC681@YAHOO.COM](mailto:PC681@YAHOO.COM)  
PH: (503) 490-6564  
CASE NO: 21E014316

David Brown,

I had been monitoring my email because I knew you would immediately place this case on the calendar as soon as you saw it come across the docket. This case has been very personal for you and you just have been waiting for the opportunity to evict me! You have not even given me an opportunity with a fair amount of time to respond or to receive your order by mail today is December 7, 2022 and you set a hearing date for December 12, 2022. You no I want to even get the order by mail probably until after the court date hearing which will allow you to grant the eviction you have been desperately desiring to evict me. Cases are routinely calendared two weeks out after the case is placed on docket. Why my case was such an immediate need to deny me a fair amount of time to respond I no why because your mind has been made up to evict me no matter what!

This court proceeding that you are wanting to evict me is illegal you know for a fact that the landlord has created a fraudulent lease agreement, committed identity theft by stealing Ms. Brown, personal information and forging it onto a fraudulent lease agreement, the lease dates in the lease were illegally changed by the landlord. The lease agreement that was fraudulently created by the landlord and filed with this court is not my lease contract. The landlord has instead created a fraudulent lease contract and is asking the court to evict me from an illegal fraudulent lease agreement that they filed with this court.

David Brown, you should be angry that the landlord has committed this act the landlord has committed serious crimes and instead of the court addressing the crimes intentionally created by the landlord. David Brown, you have intentionally turned a blind eye. With you the laws can be violated by the landlord as long as you can evict me at any and all cost. I stand up and fight for what I believe in but I have never filed any fraudulent documents with the court that I have personally created which is the case what the landlord did. David Brown, have you taken this case so personal that it is ok for the landlord to commit crimes in your court and during these court proceedings that you don't care as long as you can evict me So you act as if this is all normal. The landlord should be charged and in prison for the crimes they have committed and this seems to be very much ok with you.

Had I filed a fraudulent document with identity theft and forged information you would have dismissed my case. But because the end goal here is to evict me in any fashion and you would have reported me to law enforcement but you have done absolutely nothing because the end game is to evict me even if laws have been broken and you personally know the lease that

the landlord filed is fraudulent and this case must be dismissed on them grounds you have a duty to uphold the law not take part in a conspiracy just to evict me . The conduct of the landlord is disgraceful and she can be held criminal and civilly liable for her conduct.

David Brown, I know you were delighted when the case was remanded back to justice court however keep in mind the federal court only remanded the case was not dismissed with prejudice and there is no order from federal were court ruled I am a vexatious litigant. So can legally refile this case or any other case or file a new case at my pleasure. David Brown, you and some of the district court judges are mad because I am not just lying down and I am for what I believe in and the court system has a problem and issue with it. The court needs to be mad at the illegal conduct the landlord has committed within this court. How about some justice on that front David Brown

In the event this court does not dismiss this fraud and fraudulent case I will be filing a notice of removal with the federal court. David Brown you can have your boss try and guide you or your law clerk try to ill-advised you to try and take some form of illegal action to hear the case. I will file a complaint with the Nevada State Supreme Court. Once notice is filed in federal and filed with justice your jurisdiction ends immediately. You have to wait and see if the federal court remands the case back. The law is clear it is the federal court that makes this determination, not states courts once notice of removal is filed.

Another I want to educate you on because you always make mention of it in your orders. You were not present during any of my bankruptcy cases and hearings. You are just someone misinformed you see you think because I filed 9 bankruptcies that it was to avoid Tak LLC. You are so wrong. First, I was never planning on adding Tak LLC to my bankruptcies. I was told that I needed to add anyone that was a creditor. Second, some of my cases were dismissed because my attorneys advised me that the bankruptcies would hurt my pending cases so I dismissed them. Third some of the bankruptcies were dismissed because I was unable to attend an accredited counseling course which is required. Last some were dismissed because the creditor video meeting sometimes would malfunction and kick me out and I could not get back in so the the trustee would dismiss my case.

After my last hearing with the bankruptcy court judge the attorney was also trying to get the judge to label me a vexatious litigant. But after the hearing me and the judge had a meeting for about 25 minutes and the judge understood the complexity of filing bankruptcy and also stated he could tell by my filings that I was committed but at times missed filing some documents. The judge denied the request to label me as a vexatious litigant. This must be common for attorneys to use against pro se litigants that want to bow down to the system. I felt the need to inform and educate you because you seem to always put emphasis on my bankruptcy filings. Please take note if you don't dismiss the landlord's case by its illegal conduct and fraudulent lease contract was filed with justice court. I will be filing notice of removal friday December 9 2022. I want to just lay down and just let you or the system violate my rights and do nothing while you try and evict me from the illegal filing of a forged and fraudulent lease agreement filed and submitted by the landlord is illegal! So what are you going to do about that?



Just pretend it doesn't exist and just turn and look the other way.? You are a officer of the court and you have a duty to do the right thing David Brown.

A handwritten signature in black ink, appearing to read "David Brown". The signature is written in a cursive, stylized font with a large initial "D" and "B".

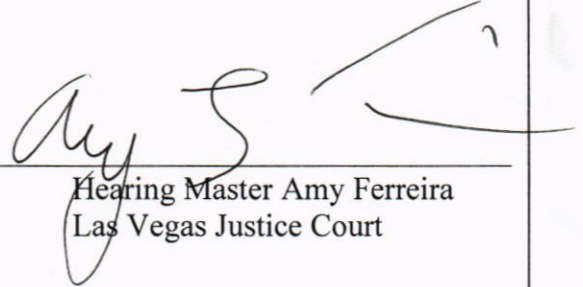


# EXHIBIT 7

**JUSTICE COURT, LAS VEGAS TOWNSHIP****CLARK COUNTY, NEVADA****Tako LLC,****Landlord(s)****CASE NO.: 21E014316**  
**DEPT. NO.: JC CIVIL EVICTIONS****vs.****Parnell Colvin,****Tenant(s)****ORDER VACATING HEARING OF  
DECEMBER 13, 2022**

Tenant's late filed a Notice of Removal in Federal District Court case no. 2:22-cv-02047-APG-EJY. This appears to be Tenant's fifth attempt to remove this action to Federal District Court. Notwithstanding, the hearing of December 13, 2022 at 10:00 a.m. shall be vacated until further notice.

DATED this 13th day of December, 2022.

  
\_\_\_\_\_  
Hearing Master Amy Ferreira  
Las Vegas Justice Court